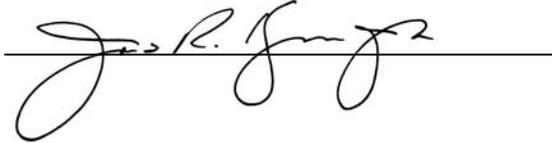


MAYOR AND COUNCIL - STUDY SESSION

ADMINISTRATIVE ACTION REPORT AND SUMMARY

APRIL 21, 2003

FROM: CITY MANAGER



Mayor Robert E. Walkup called the Study Session to order at 12:37 P.M. in the Mayor and Council Chambers, City Hall Tower, Tucson, Arizona.

COUNCIL MEMBERS PRESENT: Mayor Robert E. Walkup
Vice Mayor Shirley C. Scott, (Ward 4)
Counc. Jose J. Ibarra, (Ward 1)
Counc. Carol W. West, (Ward 2)
Counc. Kathleen Dunbar, (Ward 3)
Counc. Steve Leal, (Ward 5) (arrived at 1:00 p.m.)
Counc. Fred Ronstadt, (Ward 6)

STAFF: James Keene, City Manager
Mike Letcher, Deputy City Manager
Michael House, City Attorney
Kathleen S. Detrick, City Clerk

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>(This item taken out of order.)</p> <p>3. Boards, Commissions and Committees (City-Wide) SS/APRIL21-03-126</p> <p>This item was not discussed. Formal action was taken at the Regular Meeting.</p>	<p><u>CITY CLERK</u> Is informed</p> <p>See AAR&S of the Regular Session of 4/21/03, Item #11</p>
<p>4. Mayor and Council Discussion of Regular Agenda SS/APRIL21-03-121</p> <p>No items were removed from the Consent Agenda.</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>(This item taken out of order.)</p> <p>7. Pima Association of Governments (PAG) Management Committee's Recommendation to the Regional Council (City-Wide) SS/APRIL21-03-129</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Ibarra to approve the City Manager's recommendation to endorse the Management Committee's recommendations to the Regional Council.</p> <p>Motion PASSED by a 6 to 0 vote (Council Member Leal absent/excused).</p>	<p><u>DIR. OF COMPREHENSIVE PLANNING TASK FORCE</u> Is informed</p>
<p>(This item taken out of order.)</p> <p>12. Mayor and Council Subcommittee Reports (City-Wide) SS/APRIL21-03-124</p> <p>Council Member West reported on the activities of the Growth Subcommittee and the Neighborhoods Subcommittee.</p> <p>Vice Mayor Scott reported on the activities of the Transportation Subcommittee.</p> <p>Council Member Ronstadt reported on the activities of the Downtown and Rio Nuevo Subcommittee.</p>	<p><u>ALL DEPARTMENTS</u> Are informed</p>
<p>13. Mayor and Council Discussion of Future Agendas SS/APRIL21-03-122</p> <p>Council Member Dunbar requested an item be scheduled as soon as possible to discuss a memo from the City Attorney's Office on "Incumbent's Appearances on Radio Talk Shows."</p> <p>The discussion for this item was continued after Item #11.</p>	<p><u>CITY ATTORNEY</u> Is responsible <u>AGENDA COMMITTEE</u> Is informed</p>
<p>RECESS: 12:46 P.M. RECONVENE: 1:05 P.M. MAYOR & COUNCIL: ALL PRESENT (Council Member Leal arrived at 1:00 p.m.) STAFF: ALL PRESENT</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>1. Continuation of the Fiscal Year 2004 Budget Wrap-up: Budget Considerations (City-Wide) SS/APRIL21-03-133</p> <p>Council Member Leal MOVED, SECONDED by Vice Mayor Scott to approve the implementation of a Use Tax.</p> <p>Motion PASSED by a 4 to 3 vote (Mayor Walkup, Council Members Dunbar and Ronstadt dissenting).</p> <p>Council Member Leal MOVED, SECONDED by Vice Mayor Scott to increase commercial tipping fees by \$3.</p> <p>Motion WITHDRAWN.</p> <p>Council Member Leal MOVED, SECONDED by Council Member Ronstadt to adopt the \$10 Court Administrative Fee.</p> <p>Motion PASSED by a 7 to 0 vote.</p> <p>Vice Mayor Scott MOVED, SECONDED by Council Member Ibarra to reinstate the General Fund portion of the Back to Basics Program of \$525,00.</p> <p>Motion FAILED by a 3 to 4 vote (Mayor Walkup, Council Members West, Dunbar and Ronstadt dissenting).</p> <p>Council Member West MOVED, SECONDED by Council Member Ronstadt to reinstate youth job training program at \$200,000.</p> <p>Council Member Ronstadt offered a friendly amendment to set up a competitive process for selecting the most effective program. The amendment was not accepted, but staff should return with program qualifications prior to selecting a program.</p> <p>Main motion PASSED by a 7 to 0 vote.</p> <p>Council Member Ibarra MOVED, SECONDED by Council Member Leal to add \$208,000, and reinstate the civic event budget at full funding.</p> <p>Motion PASSED by a 7 to 0 vote.</p>	<p><u>DIR. OF FINANCE</u> Is responsible <u>DIR. OF BUDGET & RESEARCH</u> Is informed</p> <p><u>DIR. OF CITY COURT</u> Is responsible <u>DIR. OF BUDGET & RESEARCH</u> Is informed</p> <p><u>DIR. OF NEIGHBORHOOD RESOURCES</u> Is responsible <u>DIR. OF BUDGET & RESEARCH</u> Is informed</p> <p><u>DIR. OF BUDGET & RESEARCH</u> Is responsible</p>

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>1. Continuation of the Fiscal Year 2004 Budget Wrap-up: Budget Considerations (City-Wide) SS/APRIL21-03-133 (Continued)</p> <p>Council Member Ronstadt MOVED, SECONDED by Vice Mayor Scott to add \$100,000 for SAIAT (Southern Arizona Institute for Advanced Technology) job training.</p> <p>Council Member Leal offered a friendly amendment to put the money into workforce development and determine the exact organization at a later date.</p> <p>Motion as amended PASSED by a 7 to 0 vote.</p> <p>Vice Mayor Scott MOVED, SECONDED by Council Member Ibarra to remove the KIDCO application fees.</p> <p>Motion FAILED by a 3 to 4 vote (Mayor Walkup, Council Members West, Dunbar, and Ronstadt dissenting).</p> <p>Council Member West MOVED to add the correct amount of expenditures to balance the fiscal year 2004 budget with the additional \$550,000 as identified.</p> <p>Motion WITHDRAWN.</p>	<p><u>DIR. OF ECONOMIC DEV.</u> Is responsible <u>DIR. OF BUDGET & RESEARCH</u> Is informed</p>
<p>2. Proposed Water System Equity Fee (Continued from the meeting of April 7, 2003) (City-Wide & Outside City) SS/APRIL21-03-128</p> <p>This item not discussed, formal action taken at Regular meeting under Item #9.</p>	<p><u>DIR. OF WATER</u> Is informed</p>
<p>RECESS: 2:30 P.M. RECONVENE: 4:55 P.M. MAYOR & COUNCIL: ALL PRESENT STAFF: ALL PRESENT</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>(This item taken out of order.)</p> <p>10. Public Art Program – An Overview (City-Wide) SS/APRIL21-03-134(2)</p> <p>Vice Mayor Scott MOVED, SECONDED by Council Member West to send this item to the Good Government Subcommittee to review the process and provide recommendations to the full Mayor and Council.</p> <p>Motion PASSED by a 7 to 0 vote.</p>	<p><u>GOOD GOVERNMENT SUBCOMMITTEE</u> Is responsible <u>AGENDA COMMITTEE</u> Is informed</p>
<p>5. Executive Session – Tate v. City of Tucson (Continued from the meeting of April 14, 2003) (City-Wide) SS/APRIL21-03-130</p> <p>Council Member Ibarra MOVED, SECONDED by Council Member Leal to go into Executive Session for Item #5 - Executive Session – Tate v. City of Tucson, as noticed in the agenda.</p> <p>Motion PASSED by a 7 to 0 vote.</p>	<p><u>CITY ATTORNEY</u> Is informed</p>
<p>RECESS: 5:15 P.M. RECONVENE: 5:43 P.M. MAYOR & COUNCIL: ALL PRESENT STAFF: ALL PRESENT</p>	
<p>Executive Session was held from 5:16 p.m. to 5:42 p.m.</p>	
<p>Council Member West MOVED, SECONDED by Vice Mayor Scott to return to Open Session.</p> <p>Motion PASSED by a 7 to 0 vote.</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>6. Mayor and Council Direction Regarding Executive Session - Tate v. City of Tucson (Continued from the meeting of April 14, 2003) (City-Wide) SS/APRIL21-03-131</p> <p>Vice Mayor Scott MOVED, SECONDED by Council Member West to authorize the Mayor to execute a settlement agreement as discussed in Executive Session including authorization of a Final Plat for Westview Estates.</p> <p>Motion PASSED by a 6 to 1 vote (Council Member Ibarra dissenting).</p>	<p><u>CITY ATTORNEY AND DIR. OF DEV. SERVICES</u> Are responsible</p>
<p>8. Report from the Good Government Subcommittee Regarding November 2003 Ballot Issues (City-Wide) SS/APRIL21-03-123</p> <p>Council Member Leal MOVED, SECONDED by Council member West to table this item.</p> <p>Motion PASSED by a 7 to 0 vote.</p> <p>City Clerk Kathleen Detrick noted that because this item was tabled by a unanimous vote the item can only be removed from the table with a motion to remove.</p>	<p><u>CITY CLERK</u> Is informed</p>
<p>9. Intergovernmental Relations: Discussion of 2003 State and Federal Legislation Affecting the City (City-Wide) SS/APRIL21-03-127</p> <p>Director of Intergovernmental Affairs updated the Mayor and Council on Citizens Finance Review Commission established by the Governor.</p> <p>Vice Mayor Scott MOVED, SECONDED by Council member West to endorse the comments and submit them to the Citizens Finance Review Commission on behalf of the city.</p> <p>Motion PASSED by a 7 to 0 vote.</p> <p>Council Member West requested additional information conference report resolution #95, relating to cuts and increases impacting veterans.</p>	<p><u>DIRS. OF INTERGOV. AFFAIRS AND BUDGET & RESEARCH</u> Are responsible</p> <p><u>DIR. OF INTERGOV. AFFAIRS</u> Is responsible</p>

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>9. Intergovernmental Relations: Discussion of 2003 State and Federal Legislation Affecting the City (City-Wide) SS/APRIL21-03-127 (Continued)</p> <p>Council Member Ronstadt MOVED, SECONDED by Council Member Dunbar to change our position on Striker 1138 (replaces HB 2364) to a neutral position if the language of the bill is changed to accommodate concerns of the City Attorney and City Manager.</p> <p>Motion PASSED by a 4 to 3 vote (Council Members Ibarra, West, and Leal dissenting).</p>	<p><u>DIR. OF INTERGOV. AFFAIRS</u> Is responsible <u>DIR. OF DEV. SERVICES</u> Is informed</p>
<p>11. Background Checks – Firearms Sales at Gun Shows Held at the Tucson Convention Center (TCC) (City-Wide) SS/APRIL21-03-132</p> <p>Council Member Dunbar MOVED, SECONDED by Council Member Ronstadt to repeal the policy requiring gun show promoters to provide background checks at gun shows held at the Tucson Convention Center, because we cannot implement this Ordinance in a legal way.</p> <p>Vice Mayor Scott offered an amendment to state that private sales shall be allowed to continue at the Tucson Convention Center without background checks.</p> <p>Motion as amended PASSED by a 5 to 2 vote (Council Members Ibarra and West dissenting).</p>	<p><u>CHIEF OF POLICE AND DIR. OF TUCSON CONVENTION CENTER</u> Are informed</p>
<p>13. Mayor and Council Discussion of Future Agendas SS/APRIL21-03-122</p> <p>Council Member Leal MOVED, SECONDED by Council Member Ibarra to schedule a Public Hearing at the Tucson Convention Center on May 12, 2003 to discuss the issues surrounding the Parade Ordinance and gather citizen input to help staff frame a future ordinance.</p> <p>Motion FAILED by a 3 to 4 vote (Mayor Walkup, and Council Members Dunbar, West and Ronstadt dissenting).</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>ADJOURNMENT: 6:13 p.m. <i>VERBATIM TAPE RECORD AVAILABLE UPON REQUEST FROM THE CITY CLERK'S OFFICE.</i></p>	